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CITY OF GREENVILLE

POLICY NO: HR-26

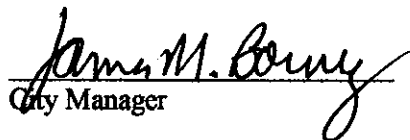
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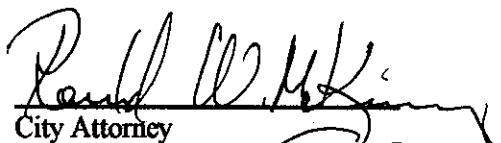
SUBJECT: Drivers' Standards for CDL and Non-CDL Employees

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APPROVALS:


City Manager


City Attorney


Human Resource Director

- I. Purpose: In order to safeguard the City's drivers, passengers, the general public, and property, this policy establishes standards and guidelines for City employees' eligibility to drive City or personal vehicles on City business.
- II. Scope: This policy applies to all CDL and Non-CDL City employees required to drive in the performance of their job duties.
- III. Policy: All City of Greenville employees required to drive in the performance of their job responsibilities shall maintain an appropriate valid drivers' license and adhere to acceptable minimum standards established by this policy. These standards apply regardless of whether the employee is driving a City-owned vehicle or equipment or his/her personal vehicle for City business. This policy replaces any general driver qualification policies, or informal practices and procedures, previously adopted by the City. Departments may adopt specific policies and procedures regarding eligibility for driving specific vehicles and equipment, but such policies and/or procedures may not be less restrictive than those herein adopted.
- IV. Definitions:
 - A. Employee classifications:
 - 1. CDL employee - any City employee whose job description, as maintained in the Human Resource Department, requires that the employee maintain a valid Commercial Drivers' License (class A or B) issued by the South Carolina Department of Transportation.
 - 2. Non-CDL employee - all other City employees whose job descriptions, as maintained in the Human Resource Department, do not require that they maintain a Commercial Drivers' License, but who are required to drive City or personal vehicles occasionally or frequently as a job responsibility.
 - B. Types of violations:
 - 1. Statutory - non-moving violations, including but not limited to improper equipment, false registration, operating uninsured vehicle, etc.

2. Ordinary - moving violations, including but not limited to speeding, failure to stop at a traffic control device, improper turn, improper signal, illegal passing, careless driving, etc. (points system violations).
3. Major/capital - serious moving violations, including, but not limited to, driving under the influence, reckless driving, hit and run with bodily injury, murder, reckless homicide, vehicular felonies, passing a stopped school bus, failure to stop for a law enforcement officer, and other offenses which indicate a wilful or wanton disregard for public safety. Major/capital violations also include any offense leading to automatic revocation of the drivers' license.
4. Chargeable accident - an accident in which the employee is charged with and convicted of an ordinary or major moving violation as reported on the MVR.

C. MVR

The official 10-year Driving Record provided by the South Carolina Department of Public Safety, Division of Motor Vehicles.

V. Procedures:

- A. CDL and Non-CDL employees - The City of Greenville will audit all City employees' motor vehicle records (MVRs) annually. The results will be provided to department heads for appropriate action as defined herein. Copies of the annual MVRs will be maintained in the Human Resource Department and/or the Risk Management Division. These minimum standards will apply in the hiring process of any potential employees whose job descriptions will require them to drive for City business.
 1. City minimum standards:
 - a. City employees required to drive in the performance of their jobs must possess and keep an appropriate valid drivers' license.
 - b. An employee's privilege to drive a vehicle or equipment on City business will be revoked as per disciplinary actions detailed in Section VII.D. if any of the following is contained in the MVR:
 - (1) any conviction of a major violation in the last three years,

- (2) conviction of more than three ordinary violations, three chargeable accidents (ordinary violations), or a combination of these in the last three years, (An accident which also results in a ticket will count as only one ordinary violation.)
- (3) conviction of more than two ordinary violations or chargeable accidents, or a combination of these in the last twelve months, or
- (4) suspension or revocation of the driver's license in the last three years; however, suspensions for statutory violations will be reviewed on a case-by-case basis if the license has been reinstated.

B. Additional requirements for CDL employees (as per Federal and State regulations):

- 1. A CDL employee must possess and keep a valid South Carolina Commercial Drivers' License (Class A or B) and meet and maintain the medical qualifications to drive CDL vehicles and equipment.
- 2. A CDL employee's privilege to drive a CDL vehicle or equipment for City business will be revoked if any disqualification offense described in Section 391.15 of the Motor Carrier Safety Regulations dated January 1, 1971 is contained in his/her MVR. (Copies of the regulations are maintained by department heads of CDL drivers, Human Resources, and Risk Management.)

C. Minimum standards for DUI violations

- 1. If the violation(s) includes a DUI, the employee must undergo and provide proof of a chemical dependency assessment as mandated by South Carolina law through the Alcohol Drug and Safety Action Program (ADSAP). Additionally, if through the assessment, the employee meets the DSM4 (Diagnostic and Statistical Manual of Mental Disorders - 4) criteria for chemical dependency, the employee must also successfully complete a treatment program and provide proof thereof.

VI. Reporting Procedures:

- A. Ordinary violations: All City employees authorized to drive a City or personal vehicle for City business shall report any conviction of an ordinary violation to their supervisor within 30 days following the conviction. (See Exhibit 1. below.)

- B. Major violations/Suspensions: All City employees authorized to drive a City or personal vehicle for City business shall report the charge of any major violation or suspension (including but not limited to DUI's, etc.) to their supervisor the next working day following the charge/suspension and before driving for City business. The employee's privilege to drive for City business will be administratively revoked pending the final disposition of the case.
- C. All reports of charges, violations, and suspensions shall be in writing to the employee's supervisor and shall include the following:
 - 1. Driver's full name,
 - 2. Driver's license number,
 - 3. Date of conviction, (if applicable)
 - 4. The specific offense for which the employee was charged/convicted/license suspended,
 - 5. Whether the violation was while driving a commercial vehicle,
 - 6. Location of offense, and
 - 7. Driver's signature.
- D. The supervisor shall report this information to the Human Resource Department within one working day of their notice of the charge, conviction, or suspension.

VII. Disciplinary actions:

- A. The MVR review will become part of the annual performance appraisal for employees whose job responsibilities include driving for City business and/or operating a CDL vehicle or equipment.
- E. Employees with more than two ordinary violations, two chargeable accidents or a combination of these in the preceding three-year period will be considered medium risk factors. They will be verbally warned, required to review the City Employee and Fleet Safety Policies, and encouraged and given the opportunity to attend the driver improvement program.
- F. CDL employees who do not meet the DOT mandated standards will be considered high risk

factors, will be placed on probation, and will lose their privilege to drive CDL vehicles/equipment on City business until the standards are again met and the appropriate driver's license is reinstated.

- G. Any employees who do not meet the City's minimum standards will be considered high risk factors, will be formally warned, and placed on probation. Additionally:
1. Conviction of a major violation/suspension will result in the revocation of the employee's privilege to drive for City business. Driving privileges may be reinstated when all of the following occur:
 - a. The three-year MVR is cleared of the violation,
 - b. The driver's license is reinstated/valid,
 - c. The employee has satisfactorily completed the driver improvement and any other additionally required programs, and
 - d. The employee's Department Head, Human Resource Director, and Risk Manager concur with reinstatement.
 2. Convictions in excess of the City minimums for ordinary violations and chargeable accidents will result in revocation of the employee's privilege to drive upon consultation of the employee's Department Head, Human Resource Director, and Risk Manager. Driving privileges may be reinstated when all of the following occur:
 - a. The three-year MVR is cleared of the violations,
 - b. The driver's license is reinstated/valid,
 - c. The employee has satisfactorily completed the driver improvement program, and
 - d. The employee's Department Head, Human Resource Director, and Risk Manager concur with reinstatement.
- E. If an employee has a DUI conviction, the employee will be required to additionally undergo a chemical assessment program and treatment as described above in section V.C.1.
- F. If the employee incurs further moving violations within the probationary period, disciplinary actions will proceed according to Human Resource Policy HR-22.

- G. Failure to comply with any provision herein shall be considered a willful violation of this policy and may result in the permanent revocation of the employee's privilege to drive for City business and/or operate CDL vehicles or equipment.

EXHIBIT 1.

NOTIFICATION OF TRAFFIC VIOLATION

HR-26, Drivers' Standards for CDL and Non-CDL Employees, requires that all City employees authorized to drive a City or personal vehicle for City business shall report any conviction of an Ordinary or Major violation, including, but not limited to a DUI offense, and any license suspension, within 30 days after conviction.

The following information is being provided by the below named driver to comply with the traffic violation notification requirements of HR-26:

Driver's Full Name _____

Driver's Address _____

City State Zip () Phone

Driver's License Number _____ State _____

Date of Violation _____ Citation Number _____

Vehicle Operated (check one): ? Personal ? Other

(Describe) _____

Location of Offense: City/Town _____ State _____

Nature of Violation _____

Disposition of Case (bail forfeiture, conviction with fine and/or loss of license, unconditional discharge, etc.) _____

Date of Conviction _____

Driver's Signature _____ Date _____